

ADVERSARY CASE OPENING

[Local Rule 7001-1](#)

To open an adversary proceeding begin by selecting **Adversary** from the CM/ECF toolbar, then select **Open an AP/MP case**.

STEP 1 The **Open Adversary Case** screen is displayed.



- ◆ Office: will always default to Butte.
- ◆ Date Filed: will always default to current date.
- ◆ Case Type: select “ap.”
- ◆ Complaint: select “y” for a complaint, “n” for a Notice of Removal
- ◆ Select Next to continue (selecting Clear will reset defaults).

STEP 2 The **Search for a party** screen is displayed.



In this step you will be adding the parties to this adversary proceeding (plaintiffs and defendants), and their attorneys (if applicable). Parties may be added in any order.

- ◆ Begin by searching the database for your first party to the adversary proceeding. The search may be done using either the SSN/Tax I.D. or the last/business name of the party. Note: the last/business name search is case-sensitive. Select Search.

The Party search results are displayed.

- ◆ If the party's name appears in Party search results window, highlight the name and click the Select name from list button and proceed to **Step 3**.
- ◆ If the party's name does not appear in the Party search results window or you see a No person found response, proceed to **Step 4**.

STEP 3 The Party Information screen is displayed.

- ◆ Change the Role menu to reflect the role of your party – either a plaintiff or defendant.
- ◆ Select appropriate status for the party in the Pro Se field.
- ◆ It is the preference of the Clerk's office that the remaining fields in this menu are blank. Note: if there is text after the party's name (i.e. "a Montana Corporation," "as Trustee," etc.) that you wish to be displayed in the docket header for this adversary proceeding, you may type it in the Party Text field.
- ◆ If the party has an alias, select Alias. The Create Alias screen will appear to allow for the inclusion of one or more aliases for the party. For more detailed instructions on adding aliases, see the Open A Case section of the manual.

- ◆ If the party is represented by an attorney, select Attorney. The Search for an Attorney screen will display. Proceed to **Step 5**.

STEP 4 If your party does not appear in the pick list or you receive a **No person found** message, you will need to add the party to the database. Select **Create new party**.

STEP 5 The **Party Information** screen will be displayed.

The screenshot shows the 'Party Information' form with the following details:

- Header: ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout
- Title: Party Information
- Entity: RACE HORSE SSN: Unknown
- Office: [Empty]
- Address 1: 111 SPEEDY LANE
- Address 2: [Empty]
- Address 3: [Empty]
- City: HORSEVILLE
- State: MT
- Zip: 12345
- County: [Dropdown]
- Country: [Empty]
- Phone: [Empty]
- Fax: [Empty]
- E-mail: [Empty]
- ProSe: no
- Role: Plaintiff (pla.pt)
- Party text: [Empty]
- Buttons: Attorney..., Alias..., Review... (Note: Add all attorneys and aliases before clicking the Submit button.)
- Buttons: Submit, Cancel, Clear

- ◆ Change the Role field to reflect the role of the party being added – either Plaintiff or Defendant.
- ◆ Fill in name fields (use Last name field for a business name). The remaining fields should be left blank; however, if there is text that you wish to appear on the docket header after the party’s name (i.e. “a Montana Corporation,” “as Trustee,” etc.), use the Party text field.
- ◆ Pro Se: select whether or not the party you are adding is pro se.
- ◆ If the party has an alias, select Alias. The Create Alias screen will appear to allow for the inclusion of one or more aliases for the party. For more detailed instructions on adding aliases, see the Open A Case section of the manual.
- ◆ If the party is represented by an attorney, select Attorney. The Search for an Attorney screen will display.

The screenshot shows the 'Search for an attorney' form with the following details:

- Header: ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout
- Title: Search for an attorney
- Bar Id: [Empty]
- Last name: PATTEN
- Buttons: Search, Clear

- ◆ Search for the party's attorney by typing in up to 10 letters of the attorney's last name in the **Last name** field - the search is case sensitive. Note: do not search for an attorney by **Bar Id**. Select **Search**.

The **Attorney search results** are displayed. If the attorney's name appears in the **Attorney search results** window, proceed to **Step 7**.

STEP 6 If the attorney's name is not listed, or "No Person Found" appears, select **Create New Attorney**.

- ◆ Enter name and address of attorney for the party.
- ◆ Select **Add Attorney**
- ◆ The **Party Information** screen appears. Select **Submit** if you do not have another attorney to add for this party. If you have another attorney to add for this party, select **Attorney** and repeat **Step 5**.

STEP 7 A successful attorney search will display the **Attorney search results** screen with the attorney's name listed.

The screenshot shows the ECF (Electronic Case Filing) interface. At the top is a blue navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout, along with a help icon. The main content area has a yellow background. It features a search form titled "Search for an attorney" with two input fields: "Bar Id" and "Last name". Below these fields are "Search" and "Clear" buttons. Underneath the search form is a section titled "Attorney search results" which displays a list containing the name "PATTEN, JAMES A". At the bottom of the results list is a button labeled "Select name from list", and to its right is a button labeled "Create new attorney".

- ◆ Select the attorney's name from the results.
- ◆ Click on **Select name from list**.

STEP 8 The **Attorney Information** screen is displayed.

The screenshot shows the ECF Attorney Information screen for Party HORSE, RACE. The header includes the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The main content area is yellow and contains the following information:
Attorney Information (Party HORSE, RACE)
JAMES A. PATTEN Bar Id:Unknown Bar Status:Unknown
Office: [text box] Address 1: PO BOX 4444
Address 2: [text box] Address 3: [text box]
City: BILLINGS State: MT
Zip: 59101 Country: [text box]
Phone: [text box] Fax: [text box]
E-mail: jepatten@yahoo.com Lead attorney: yes (dropdown)
Buttons: Add attorney, Cancel attorney, Clear
Footnote: Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party.

- ◆ If needed, you may change the contact information. Any changes made to the attorney’s contact information will apply only to this adversary proceeding. If you determine that this is not the correct attorney, select **Cancel Attorney** and return to the last instruction of Step 4.
- ◆ **Lead attorney** – select “yes” if this is the lead (or only) attorney for this party.
- ◆ Select **Add Attorney**.

STEP 9 The **Party Information** screen is displayed again.

- ◆ Verify information. Selecting the **Review** button allows you to view all aliases and attorneys you have added for this party.
- ◆ Select **Submit**. This will add the party to this adversary proceeding.

STEP 10 The **Search for a party** again displays.

The screenshot shows the ECF Open Adversary/MP Case search screen. The header includes the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The main content area is yellow and contains the following information:
Open Adversary/MP Case
Search for a party
SSN: [text box] Tax Id: [text box]
Last/Business name: HC [text box]
Buttons: Search, Clear
End party selection button

- ◆ Refer back to **Step 2** to add remaining parties.
- ◆ When all parties have been added, select **End Party Selection**.

STEP 11 The Adversary Statistical Information screen is displayed.

The screenshot shows the ECF interface for an 'Open Adversary/MP Case'. The header includes the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The form fields are as follows:

- Party code: 3 U.S. not a Party
- Nature of suit: 426 (Dischargeability 523)
- Origin: 1 Original Proceeding
- Transfer date: (blank)
- Rule 23 (class action): n
- Jury demand: None
- Demand (\$000): 100

Buttons: Next, Clear

- ◆ Party Code: select the role of the United States in this adversary proceeding.
- ◆ Nature of Suit: select the relief being sought. Note: if there are multiple counts to the complaint, select the one that appears first on the list.
- ◆ Origin: select the origin of this complaint. This will usually be ‘original proceeding.’
- ◆ Transfer date: leave this field blank.
- ◆ Rule 23 (class action): select yes or no.
- ◆ Jury demand: select yes or no. Note: if selecting ‘yes,’ a motion requesting a jury trial must be filed.
- ◆ Demand (\$000): if this adversary complaint seeks monetary relief, enter the amount in thousands of dollars.
- ◆ Select **Next**.

STEP 12 The Add Associated Cases screen is displayed.

The screenshot shows the ECF interface for 'Add Associated Cases'. The header includes the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The form fields are as follows:

- Member case number: (blank)
- Lead case number: 02-00011
- Association type: Adversary

Buttons: Next, Clear

- ◆ Lead case number: type in the case number of the main case in the format shown in the example.

- ◆ Association type: select ‘Adversary.’
- ◆ Select **Next**.

STEP 13 The Select PDF Document screen is displayed. In this step you will be attaching the complaint document file. Note: don’t forget the Adversary Proceeding Cover sheet (available online).

- ◆ Attachments to Document: select ‘yes’ if you will be attaching more than one .pdf file.
- ◆ Type file name in blank, being sure to include the .pdf suffix. **or**
- ◆ Click on **Browse** to navigate to the appropriate directory and file:
- ◆ Change **Look in:** to the appropriate drive where the document is located
- ◆ Click on appropriate file name, and then click on **Open**.

STEP 14 The Open Adversary/MP Case screen is displayed:

- ◆ Record “CC” in the **Receipt #** field
- ◆ Record or verify amount in the **Fee** filed.
- ◆ Click **Next** to continue or **Clear** to start over.

STEP 15 The **Docket Text: Modify as Appropriate** screen is displayed, allowing for addition of prefix and/or additional text.

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Open Adversary/MP Case

Docket Text: Modify as Appropriate.

[] Complaint. [] by RACE HORSE against EX-RACE HORSE . Receipt Number CC, Fee Amount . (SAMSON, RICHARD)

Next Clear

- ◆ In the first box you may add a prefix if applicable.
- ◆ In the second box you may type any additional information about the complaint. We encourage a brief description of the complaint (i.e. ‘to determine dischargeability of a debt’).
- ◆ Select Next.

STEP 16 The **Docket Text: Final Text** screen is displayed.

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Open Adversary/MP Case

Docket Text: Final Text

Complaint. by RACE HORSE against EX-RACE HORSE. Receipt Number CC, Fee Amount. (SAMSON, RICHARD)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Next Clear

- ◆ Verify the text docket entry. This is what will be displayed on the docket and is your final chance to correct any errors. Any text you added in the previous step will appear in italics.
- ◆ Select **Next** to submit filing or go back to correct any errors.

Receipt of Filing

Once entry is submitted after final approval, the **Notice of Electronic Filing** screen appears. This screen gives confirmation that the system has received the entry, and the entry now is an official court document. Scroll down to view entire receipt.

ECF Bankruptcy Adversary Query Reports Utilities Logout ?

Open Adversary/MP Case

Notice of Electronic Filing

The following transaction was received from SAMSON, RICHARD entered on 11/22/2002 at 3:05 PM MTN and filed on 11/22/2002

Case Name: HORSE v. HORSE
Case Number: [02-00099](#)
Document Number: [1](#)
Case Name: RACE HORSE
Case Number: [02-00011](#)
Document Number: [23](#)

Docket Text:
Complaint & Summons Issued by RACE HORSE against EX-RACE HORSE Receipt Number CC, Fee Amount \$150. (SAMSON, RICHARD)

The following document(s) are associated with this transaction:

Document description:Main Document
Original filename:W:\maging\Archive\Friday/ap-n0-01-40790 30875.05.pdf
Electronic document Stamp:
[STAMP bkecfStamp_ID=986323682 [Date=11/22/2002] [FileNumber=432-0] [792b db6c49a4b3e96ffa42d5e2d4030B49d2cbf2523ca7674b21919c22822221a8dbff173a78727356224d0fe98251104d3b46a524b14a9df3dde3c3ca30fe4]]
Document description:Main Document
Original filename:W:\maging\Archive\Friday/ap-n0-01-40790 30875.05.pdf
Electronic document Stamp:
[STAMP bkecfStamp_ID=986323682 [Date=11/22/2002] [FileNumber=433-0] [5d2f127be1813e3a4341eb8b59acc9b0285d3b21ad57600f84b0d5d15db224715ee3aa69379edcc146e0ccadbca45eed7750460e8eb576764c0647fe4341a511]]

The **Notice of Electric Filing** appears each time you submit a filing to the court through the ECF System. Each notice will include the following:

- ◆ Who filed the document:
- ◆ Date and Time:
- ◆ Case Name:
- ◆ Case Number:
- ◆ Document Number:
- ◆ Original filename (*pdf*):
- ◆ Electronic document Stamp:

Print receipt

- ◆ Click on **File** at top of Internet Explorer screen and select **Print , or**
- ◆ Click on the Printer Icon at the top of the page.

[Note: It is highly suggested that copies of receipts be maintained for your records]